

REFERENCE TITLE: clean elections; qualifying period

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
First Regular Session  
2009

## **HB 2139**

Introduced by  
Representatives Campbell CH, Sinema: Biggs, Chabin, Crump, Meyer, Reagan,  
Waters

### **AN ACT**

AMENDING SECTION 16-961, ARIZONA REVISED STATUTES; RELATING TO THE CITIZENS CLEAN ELECTIONS ACT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2       Section 1. Subject to the requirements of article IV, part 1, section  
3 1, Constitution of Arizona, section 16-961, Arizona Revised Statutes, is  
4 amended to read:

5           16-961. Definitions

6       A. The terms "candidate's campaign committee," "contribution,"  
7 "expenditures," "exploratory committee," "independent expenditure," "personal  
8 monies," "political committee" and "statewide office" are defined in section  
9 16-901.

10      B. 1. "Election cycle" means the period between successive general  
11 elections for a particular office.

12      2. "Exploratory period" means the period beginning on the day after a  
13 general election and ending the day before the start of the qualifying  
14 period.

15      3. "Qualifying period" means the period beginning on the first day of  
16 August in a year preceding an election, for an election for a statewide  
17 office, or on the first day of January of an election year, for an election  
18 for legislator, and ending ~~seventy-five~~ NINETY days before the day of the  
19 general election.

20      4. "Primary election period" means the nine-week period ending on the  
21 day of the primary election.

22      5. "General election period" means the period beginning on the day  
23 after the primary election and ending on the day of the general election.

24      6. For any recall election, the qualifying period shall begin when the  
25 election is called and last for thirty days, there shall be no primary  
26 election period and the general election period shall extend from the day  
27 after the end of the qualifying period to the day of the recall election.  
28 For recall elections, any reference to "general election" in this article  
29 shall be treated as if referring to the recall election.

30      C. 1. "Participating candidate" means a candidate who becomes  
31 certified as a participating candidate pursuant to section 16-947.

32      2. "Nonparticipating candidate" means a candidate who does not become  
33 certified as a participating candidate pursuant to section 16-947.

34      3. Any limitation of this article that is applicable to a  
35 participating candidate or a nonparticipating candidate shall also apply to  
36 that candidate's campaign committee or exploratory committee.

37      D. "Commission" means the citizens clean elections commission  
38 established pursuant to section 16-955.

39      E. "Fund" means the citizens clean elections fund defined by this  
40 article.

41      F. 1. "Party nominee" means a person who has been nominated by a  
42 political party pursuant to section 16-301 or 16-343.

43      2. "Independent candidate" means a candidate who has properly filed  
44 nominating papers and nominating petitions with signatures pursuant to  
45 section 16-341.

1       3. "Unopposed" means, with reference to an election for:

2           (a) A member of the house of representatives, opposed by no more than  
3 one other candidate who has qualified for the ballot and who is running in  
4 the same district.

5           (b) A member of the corporation commission, opposed by a number of  
6 candidates who have qualified for the ballot that is fewer than the number of  
7 corporation commission seats open at that election and for which the term of  
8 office ends on the same date.

9           (c) All other offices, opposed by no other candidate who has qualified  
10 for the ballot and who is running in that district or running for that same  
11 office and term.

12          G. "Primary election spending limits" means:

13           1. For a candidate for the legislature, twelve thousand nine hundred  
14 twenty-one dollars.

15           2. For a candidate for mine inspector, forty-one thousand three  
16 hundred forty-nine dollars.

17           3. For a candidate for treasurer, superintendent of public instruction  
18 or the corporation commission, eighty-two thousand six hundred eighty  
19 dollars.

20           4. For a candidate for secretary of state or attorney general, one  
21 hundred sixty-five thousand three hundred seventy-eight dollars.

22           5. For a candidate for governor, six hundred thirty-eight thousand two  
23 hundred twenty-two dollars.

24          H. "General election spending limits" means amounts fifty per cent  
25 greater than the amounts specified in subsection G of this section.

26          I. 1. "Original" spending limit means a limit specified in  
27 subsections G and H of this section, as adjusted pursuant to section 16-959,  
28 or a special amount expressly set for a particular candidate by a provision  
29 of this title.

30          2. "Adjusted" spending limit means an original spending limit as  
31 further adjusted to account for reported overages pursuant to section 16-952.

32          Sec. 2. Requirements for enactment; three-fourths vote

33          Pursuant to article IV, part 1, section 1, Constitution of Arizona,  
34 section 16-961, Arizona Revised Statutes, as amended by this act, is  
35 effective only on the affirmative vote of at least three-fourths of the  
36 members of each house of the legislature.